

VZCZCXYZ0000  
OO RUEHWEB

DE RUEHMU #1147/01 3551939  
ZNY CCCCC ZZH  
O 211938Z DEC 09  
FM AMEMBASSY MANAGUA  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 0303  
INFO WHA CENTRAL AMERICAN COLLECTIVE IMMEDIATE  
RHEFDIA/DIA WASHINGTON DC IMMEDIATE  
RHEHAAA/NATIONAL SECURITY COUNCIL WASHINGTON DC IMMEDIATE  
RHMFISS/CDR USSOUTHCOM MIAMI FL IMMEDIATE  
RHMFISS/DEPT OF JUSTICE WASHINGTON DC IMMEDIATE  
RUCPDOG/DEPT OF COMMERCE WASHINGTON DC IMMEDIATE  
RUEAIIA/CIA WASHINGTON DC IMMEDIATE  
RUEATRS/DEPT OF TREASURY WASHINGTON DC IMMEDIATE  
RUEHC/DEPT OF LABOR WASHINGTON DC IMMEDIATE

C O N F I D E N T I A L MANAGUA 001147

SIPDIS

E.O. 12958: DECL: 2019/12/21

TAGS: [PGOV](#) [PHUM](#) [KDEM](#) [NU](#)

SUBJECT: Kill the Messenger: A Case Study in FSLN Political Tactics

CLASSIFIED BY: RobertJCallahan, Ambassador, State, Embassy Managua; REASON: 1.4(B), (D)

11. (C) Summary: Since President Daniel Ortega entered office in 2007, his Sandinista National Liberation Front (FSLN) party has attacked its political opponents as well as those within its party structure it views as opposition. The latest examples of this are a Managua city councilmember and the water regulatory agency's consumer division chief. The councilmember was politically attacked for his constant criticism of and demand for transparency from the FSLN-controlled local government. The division chief was fired from her position for not following orders from Ortega's office to support the political attack on the city councilmember. These are not the first in the FSLN's attacks, and are not likely to be the last. End Summary.

#### FSLN Attacks Opposition

12. (C) Since the new Managua city council entered office in January 2009, Luciano Garcia has been the only critical voice in the city council. He is from the Conservative Party, but was elected from the Vamos con Eduardo-Constitutional Liberal Party (VcE-PLC) ticket. Since the beginning of the year he has consistently voted in opposition to FSLN attempts to politicize the city's functions (e.g., giving the FSLN partisan Citizen Power Councils authority in local governance). Garcia has also requested from the mayor and secretariat (both FSLN members) clarification on the use of city funds (e.g., why the city paid for the fueling of 800 motorcycles on the eve of the FSLN's annual July 19 anniversary of the revolution). Garcia's outspokenness has annoyed the governing FSLN, particularly Managua Mayor Deisy Torres and City Council Secretary Fidel Moreno. Both of these FSLN militants are reportedly close to First Lady Rosario Murillo. As a result, the FSLN appears to have set-up a political attack to discredit Garcia.

13. (SBU) On November 24 at 5:30 pm, the Nicaraguan water company (ENACAL) inspected the home of Garcia and reported that the city council member had an illegal water connection for over a year. ENACAL charged that through the illegal connection Garcia was able to lower his water bill from 3,000 cordobas a month in 2008 to 300 cordobas a month in 2009. This inspection was conducted in the presence only of official media (Channel 4 television and Radio Ya). These media organizations then reported on Garcia as a thief who robbed from the people of Managua. As a result of the inspection, ENACAL charged Garcia a seven-month fine and reconnection fees. Garcia then filed a complaint with the

regulating agency for the water company (INAA), the established procedure for these cases. INAA conducted its own site inspection accompanied by members of ENACAL. Based on the INAA inspection, Lizeth de Trinidad, Consumer Division Chief, issued a decision finding in favor of Garcia and instructing ENACAL not to charge the fees nor fines. The following day, de Trinidad was fired.

14. (C) Garcia told us that the ENACAL inspection and charges were false and politically motivated based on his criticisms of the FSLN-run City Hall. Aside from the INAA decision, he presented to us other evidence of his innocence including his water bills for the past two years that discredited ENACAL's charges and reports from two human rights organizations which found no evidence of an illegal connection. Despite INAA's decision, Garcia fears the government will continue the case and possibly file criminal charges against him. He also told us that since the beginning of this case, other government entities have harassed him. Aside from his work on the city council, Garcia owns clothing stores and an import business. Both the Directorate General for Taxes (DGI) and Directorate General for Customs (DGA) have been financially and administratively harassing his businesses. Garcia's fear of further reprisals has led him to remove himself as the legal representatives of his businesses and place most of his assets in the names of family members. His ability to defend his public image, meanwhile, was hurt by the PLC's public statement siding with the FSLN against Garcia.

#### FSLN Fires Within

15. (C) The other victim in this case was Lizeth de Trinidad, the Consumer Division Chief at INAA who was fired for her decision in favor of Garcia. De Trinidad had worked for the agency since its creation 16 years ago. She had worked her way up in the organization and was one of four division chiefs at the agency. Her position as division chief was a senior position within the agency, and she reported directly to the president of INAA. She told us that her decision in Garcia's case was based on the merits of the matter and the INAA inspector's work. (The inspector, she noted, had over 30 years experience.) Due to the political implications of the case, de Trinidad consulted with the INAA president's executive assistant, Carlos Berrios, prior to issuing her decision; Berrios had concurred with de Trinidad's decision. (Note: The INAA president was out of the country at the time.)

16. (C) De Trinidad issued her decision on November 2 and that afternoon received a telephone call from Salvador Vanegas, an assistant to President Daniel Ortega, telling her to attend a meeting at the offices of ENACAL. She told us that present at the meeting were Vanegas, Ruth Selma (Executive Director of ENACAL), and Berrios. Vanegas told the group that they would hold a press conference after their meeting and that de Trinidad would retract her decision and state that Garcia had indeed stolen water from the city. When de Trinidad refused, Vanegas told her to submit her resignation letter. She again refused, stating she had done nothing wrong and that ENACAL could contest the decision through legal means. On November 3, Vanegas went to INAA and had Berrios fire de Trinidad. (Note: Because of her position, only the INAA president could fire de Trinidad.)

17. (C) De Trinidad admitted that the case against Garcia was groundless and politically motivated. She also confirmed that she was wrongfully terminated from her position, but would not seek legal recourse to avoid any problems. While she is not an active member of the FSLN, she told us that the only party she has ever belonged to or identified with is the FSLN, with whom she worked in the 1980s. She said to us, "I know this government, I know these people, and I don't want to confront them. I don't want any problems for my children, my husband or my mother."

Comment

18. (C) Many Nicaraguans tell us that the FSLN threatens the opposition, but actually attacks those from within its ranks. Such was the case of Garcia and de Trinidad, and there are many more like these. The attacks against opposition figures is meant to discredit their public image, intimidate them into silence, and keep them busy with other matters so they don't have time to focus on the FSLN's waste and fraud in government. Meanwhile, the FSLN attacks its own members or sympathizers, confident there will be no adverse political or legal consequences. Unfortunately, to a large extent the FSLN has been successful with this approach.

CALLAHAN